

Canons of Construction

Volume 36, Number 5 The Law Students' Newspaper Nov. 29, 2004



circa 1978

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Tracy McMahon (3L)

Life's Experience

"I went to the mandatory session with a guidance counselor in grade 12. The counselor asked me if I knew what I wanted to do. I told him I thought I wanted to be a lawyer. His response was, 'Have you thought about doing anything else?'"

Professor Hopp patiently answered questions spanning the spectrum of past, present, and future including his impending retirement from the U of A. He is a gifted storyteller and I just hope, in the process of going to print, this has not been completely lost.

TM: "You have a B.Ed. Were you a teacher before becoming a lawyer?"

RH: "Yes. In those days it was a lot cheaper to become a teacher. It was only two years of university, and I needed to be making money sooner rather than later.

I started teaching when I was 22. I taught grades 9-12. I really enjoyed teaching, but I wasn't very good with discipline of the kids—Study Hall was the worst!

I do think that law should be a second profession. I have sort of had three: teaching high school, practicing law, and teaching at the University."

After six years of teaching, Professor Hopp returned to the University of Alberta to earn an LL.B. It was an era when a year of tuition was \$500 and an articling student's salary was \$500 per month. "We didn't have the *Charter* then,

30 Years? Who's Counting

so you might wonder what we did...but we really did work hard."

Here, 30 years later, he tells me, "I am not an academic. I am a professor and a practicing lawyer."

TM: "Was law the right choice?"

RH: "As a lawyer, I have a defect: I dislike conflict.

My career combines the benefits of teaching and the benefits of practicing law. It is a pleasure to teach adults, and being a lawyer keeps me familiar with what is going on out there. I like that it is challenging. I think I lose some of each by doing both, for instance, I could never take a really long and difficult case, but I like what I do.

About 5 years ago, I traded places with a Crown prosecutor for a year. He came here to teach, and I worked as a prosecutor. I enjoyed it immensely!

I think if I were young and just starting out again, I'd be a criminal lawyer."

Professor Hopp was raised in Lethbridge and moved to Edmonton to attend university.

TM: "What kept you in Edmonton?"

RH: "Inertia kept me in Edmonton. When I finished, I got a job here and just stayed. I think I would have liked to have practiced in a place like Lethbridge."

Fate Calls

"I got a 9 in Equity. Yes, Equity was a course back then. (They don't teach it anymore, and more is the pity for that.) Because I got a 9, they asked me to teach Equity after I graduated. I taught that course and moved on.

Then, as a young lawyer, I was working for a lawyer doing real estate transactions. It was a hot summer day, a Friday afternoon. My boss was away sick. I had been in the office since 4 or 5 that morning and was sweating my way through a stack of real estate transactions."

He shakes his head and continues, "The phone rang that afternoon and a woman from

...Continued on page 2

UNDP in Viet Nam: Summer Internship

Joanna Harrington

The following article is part of a series on international internships for law students initiated by Professor Joanna Harrington. In this interview, Professor Harrington interviews recent LL.B. graduate Ishani Gunasekera about her experience interning in Viet Nam with the United Nations Development Programme (UNDP). Ishani is currently working as a Project Officer with a World Bank project on legal and judicial reform in Colombo, Sri Lanka.

JH: Hi Ishani. It's wonderful to hear from you. I know you've mentioned that the internship with UNDP was a great experience that helped get you your current position. What was involved with the internship and why was it a great start?

IG: The internship was a three-month program with the Governance Cluster of the UNDP in Viet Nam. I was principally involved in two main projects: one was an individual project to create a database of past legal reform initiatives by the UNDP in Viet Nam, and the other was a group project on access to justice. In addition to these two projects I did some human rights work. Even though these three areas were what I principally worked on for the three months, the other staff members were very open to sharing information and news about their work and to allow you to get involved in things that interested you. It was a great start because it allowed me to learn a lot about how an international and inter-governmental organization functions. It also showed me the type of opportunities that were available internationally for a lawyer.

JH: How did this internship come about?

IG: I was fairly sure by my second summer in law school that I wanted to gain some international exposure. I was determined to get an internship of this sort and I remember doing a lot of research into different places and sending out a number of resumes to a couple of international agencies. I think if you are interested in this sort of thing it's well worth

...Continued on page 4

the Faculty asked if I would teach a course again. Fed up with real estate transactions, I said something to the effect of, "I'll teach that course and any other Goddamn course you have for me to teach!" "Well," she asked, "would you be interested in teaching full time?"

I was hired the next week.

I later married the woman on the other end of the phone.

It was a fateful set of circumstances. Had she called on Monday, when I was enjoying my day a little more, I would have taught just the one course. I got lucky because the full time professor they had hired through the regular channels decided he would not be coming to the U of A. It was mid-summer and they needed to hire someone."

Insight

TM: "What do you think about differential fees?"

RH: "I think that if the result is a better education, then, yes. But, ultimately it depends on how money is spent. We need more professors willing to spend time with students, not necessarily investments in buildings. I would prefer to see a return to low fees. Then, we would really become competitive. But, I'm not sure how that could be done."

TM: "Have the students changed?"

RH: "Well, they're getting younger every year! I think it is a lot more competitive now, and there is more pressure on students to succeed. There seems to be a lot of trouble getting articles. In my last year [of law school], we started looking in February."

TM: "You have taught a lot of different courses. Do you have a favourite?"

RH: "I most liked teaching Contracts. It is more law related than fact related. I like the opportunity to see first year students beginning

to think like lawyers, learning different types of arguments and ways to argue law. You could also ask them questions and expect them to be prepared, not like second and third year students."

TM: "You have been with SLS for 30 years now. What draws you to it?"

RH: "SLS makes the faculty stand out. All those volunteers working to help those less fortunate. Of course they get something in return, too. It is too bad it moved out of the building and into EMH. The community loves SLS. It received the Board of Governor's Award a couple of years ago for Community Service."

TM: "You're a longtime Law Show dancer. How is that coming along this year?"

RH: "Great. It always seems to come together in the end. It is a great opportunity to associate with people willing to volunteer to help the less fortunate."

TM: "Do you have any advice for 1L's as their first set of law school finals approaches?"

RH: "Well, it's difficult to give advice. Everybody can pass and do well. Work hard. Take time for fun."

TM: "Do you have any advice for 3L's who will soon leave the confines of the law school?"

RH: "Don't be afraid. Have confidence in your abilities and have fun! I used to look at an adjournment as a victory because at least I didn't lose! Remember that win or lose, if you have done your best, you win. Do not forget that you are an articling student. You are there to learn. There is more to learning than being stuck in the office doing research."

TM: "Are you a regular *Canons* reader?"

RH: "Yes. Of course."

TM: "What would you like to see in our next issue?"

RH: "Well, it used to be that there were debates between the right and left of the student body. It would be nice to see something like that, but there does not seem to be that divide

anymore." [Read: This is a challenge for our opinionated readers.]

Looking Ahead

Professor Hopp tells me that he will have to fill his days with something when he leaves teaching. So, what will he do? Get another job of course! He tells me he plans to practice somewhere where they will tell him exactly what they want. He has also promised Bubba that they will spend June, July, and August walking the City, making use of the extensive trails."

Reflections

TM: "Of your 3 decades of teaching, which stands out as the best?"

RH: "Well, the one filled with the most joy was the first. It is when I met my wife and married her, we adopted our son, and I was just getting comfortable in a new job."

Professor Hopp's wife was once the administrative officer for the Faculty. She passed away three and a half years ago.

I asked about the pictures on display in his office. "That is my son Marshall when he was about 8. I let him do what he wanted with his hair," he said.

Marshall is 21 now.

TM: "Does he want to be a lawyer?"

RH: "No. I hope he will do something he loves to do. In the short term, he wants to be the first snowboarder on the Ski Patrol. At least, I hope that is a short term goal," he says with a smile.

By the way, Bubba is a Yorkshire Terrier. "He is a unique little dog. Yorkshire terriers are usually born black and change into multi-colours. Bubba was born auburn and is now reddish, not blond. What's more, he has a brown nose. There are only about five or so such dogs in Canada. My wife picked him out."

Thanks, Professor Hopp.

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Canons of Construction is the official Law Student Newspaper of the University of Alberta Law Faculty. *Canons'* principal objectives are to provide equitable and judicious coverage of issues and events germane to Law Students at the University of Alberta and to provide an open forum for the free exchange and expression of thought, opinions and ideas.

All law students and interested parties in the legal community are encouraged to contribute submissions, provided that contributions are accompanied by name, student number and telephone number. No articles are published anonymously. *Canons* reserves the right to edit submissions for content, length, and legality. *Canons* will not publish materials deemed by the board to be racist, sexist, homophobic or libelous. Ideas and opinions expressed in *Canons* do not necessarily reflect the views of the *Canons* board.

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Lawyers, Students, Laughter, Food, Friends Meet Your Mentor Reception

Vista Pourbahrami (1L)

Walking into a storm of pinstripes, pantyhose, cuff links, present shirts and smiles, each student anxiously waited to meet their mentor. It was the CBA "meet your mentor" reception, an excuse to wear our \$300 suits, eat food we wouldn't otherwise be able to afford, and rub shoulders with lawyers who hopefully will remember our faces and names. Distinguishable by the red marker on our nametags, we stumbled around the room, snagging shrimp off the table before they disappeared, and simultaneously staring at the black lettered nametags to find our respective mentors. Upon meeting, and armed with a glass of wine, more shrimp, sushi and some strange cheese appetizer thing, shy and a little scared, we attempted to make a good impression. It did

not take long for the lawyers to loosen their ties and tell stories of first trial experiences, law school, interview nightmares, and the occasional juicy gossip. The room was stifling hot by the time the CBA executive were making their speeches, but no one seemed to notice. I expected seriousness and got humour, I anticipated awkwardness and experienced complete ease, and frankly I was more concerned about not speaking with my mouth full than vocabulary usage or appropriate subject topics. Sandwiched in between exams, assignments and stress was an evening of fun, jokes, food and interesting people. Seven o'clock rolled around and the organizers were consistently hinting that it was time to leave and we reluctantly left, thinking about the not so far off future, when we shall be mentors ourselves.



Do you think the course evaluations are worth the paper they are printed on?

No. (x12)

I think some profs take them really seriously.

No, the questions aren't even applicable to most law courses.

No. Well, maybe the comments are read.

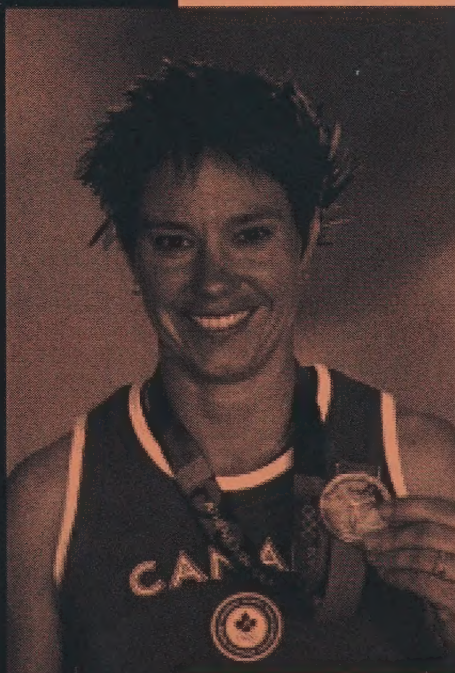
Depends on the instructor. Some profs actually change what they do. Other profs, well I don't think they even read them. I guess I have some sympathy for profs who have received nasty or irrelevant comments.

I like to be an optimist and think they matter.

Sure, I know a prof who changed his teaching style based on feedback.

If a prof is good they know it. If they suck, what do they care?

The best in her Field



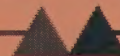
Lori-Ann Muenzer
2004 Olympic Gold Medallist

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UNDP

...Continued from page 1

putting a little effort into researching internships offered by international organizations, like the various UN agencies.

JH: I know you put in the research, but how did you afford a move to Viet Nam for the summer months?

IG: Like I said — I had decided quite early on that I wanted to do this. So I had planned and budgeted for it. Plus my family helped me out a bit. Another thing to keep in mind is when you intern somewhere like Viet Nam (or in any third world country really) the cost of living is significantly cheaper than it is in Canada. So if you're offered a stipend from the organization you work for it goes a lot further in a country like Viet Nam than it would in Canada.

JH: What was the most interesting aspect of the experience?

IG: Although I learned a lot from the people I worked with and the internship itself was a brilliant experience I'd have to say that the most interesting aspect of the internship was getting to travel to and around South East Asia! You just get such a different experience of a country when you live there as opposed to just visiting.

JH: What was the least interesting?

IG: I'd have to say having to learn the numerous (seemingly never-ending) lists of acronyms that all international organizations seem so fond of! But all in all I loved the experience!

JH: And your current job? I'm sure the readers would love to hear a little more about what you are doing now in Sri Lanka.

IG: The UNDP internship solidified my desire to work in the area of development. My current job is with a World Bank funded Project in Colombo, Sri Lanka. The Project deals with legal and judicial reforms, mostly commercial law reforms in an effort to encourage investment and development. In addition to proposing and drafting new legislation the project is involved in automation efforts for a number of key legal institutions and in a professional development program, to list just a few areas of activity.

JH: Many thanks, Ishani, for sharing your experience.

The UNDP serves as the UN's global development branch, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life.

Its current areas of focus are democratic governance, poverty reduction, crisis prevention and recovery, energy and environment, and HIV/AIDS. The UNDP operates in 166 countries and delivers most of its services through its more than 130 country offices. For further



information: <http://www.undp.org/>.

The World Bank (or "International Bank for Reconstruction and Development" as it is formally called) is one of the five closely related institutions that operate as part of the World Bank Group to fight poverty and improve the living standards of people in the developing world. The other four institutions are IDA (International Development Agency), IFC (International Finance Corporation), MIGA (Multilateral Guarantee Agency) and ICSID (International Centre for Settlement of Investment Disputes). For further information see: <http://www.worldbank.org>

SALSA's New Beat Randeep Purewall (2L)

SALSA — the South Asian Law Students' Association — was founded almost a year ago with the goal of fostering dialogue on issues affecting South Asia and Canadians of South Asians descent.¹

Unfortunately, the relatively small South Asian community in Edmonton — small when compared to such cities as Vancouver or Toronto — limits the base of speakers SALSA can draw on. As a result, SALSA can only host so many events without running into the same issues again and again.

So this year SALSA will become the Asian Law Student's Association (ALSA) and dance to a new albeit familiar beat. Its scope will expand to include issues relevant to the *entire* Asian region and to *all* persons of Asian descent in Canada. The goal however remains the same: to highlight the importance of legal discourse across communities and borders.

¹ South Asia comprises the countries of India, Pakistan, Afghanistan, Bangladesh, Sri Lanka, Nepal, Bhutan and the Maldives.



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In the SPOTLIGHT

Heather Grab (1L)

The trepidation I felt before coming to law school could be attributed to many things, chief among which was my positively irrational fear of the Socratic Method. It is the stuff of legend as far as legal education goes and a cornerstone of Hollywood movies that even so much as mention law school. Well, I have since realized that the cold-call-develop-your-argument-to-the-point-of-exhaustion method really isn't so bad. Of course, it sort of helps that I know when I'm supposed to speak in the majority of my classes, anyway. But this feeling of general relief comes nowhere near to negating the nightmare

Socrates Who?!

that plays through my head of suffering total humiliation in front of my professors and fellow students at the hands of the Socratic Method.

Fortunately, this stodgy technique of shaping our legal minds has been falling out of favour in recent times – most pointedly as a result of the increasing number of women attending law school today. As it turns out, according to a recent article in the New York Times entitled *Beyond 'Sweetie'*, women tend not to respond as well to the Socratic Method as men do. Although still open to some controversy, the differing learning styles of men and women have heralded some interesting innovations in the way the law is taught. The article mentions that, in acknowledgement of the more reflective and collaborative tendencies of women, some law professors are beginning to incorporate such

activities as role-playing and teamwork into their classes.

While men tend to thrive in the adversarial and ultra-competitive atmosphere that is law school, women on average seem to struggle just that much more as evidenced in the disparity among marks and subsequent jobs of men and women. But a more hands-on, interactive approach integrated into lectures would generally afford many women a better arena within which to develop and formulate their ideas in a less threatening environment. The law is no longer the virtually male-dominated profession that it was a hundred years ago and it follows that the method of teaching should evolve as the demographics have.

Although I see the value of the Socratic Method to a certain extent in terms of generating a coherent legal argument on a moment's notice, I like the idea of these emerging tools for instruction. Not only would they benefit many people with varying learning styles – both male and female – but at a very basic level, they would also encourage diversity in how we think about and approach legal problems.

Meanwhile, since change isn't likely to come tomorrow (considering how steeped we are in unrelenting tradition), I am forced to rely on the mantra that whatever doesn't kill me will only make me stronger and divert my energy from throttling Socrates into a more worthwhile endeavour like thinking about what font to use for my memo.

Canons FODDER

Condolences dear readers! Due to the unfortunate timing of the *Canons* deadline falling at the end of Grey Cup week, *Canons Fodder* has taken a hiatus. See you in the New Year!

Want to get involved with
Canons?
Come out to our next meeting:
Wed, Dec. 1, 2004
Canons/Law Show room
(in the locker room)
Time: noon

Dear Santa,

First of all, thanks again for the miracle LSAT score. Though, have you heard the term, "mixed blessing"? I can hardly believe that another season of finals is upon us. I meant to crack that Contracts/Admin/Conflicts book. I was just so sure I would have the time.

Please don't consider me an ingrate, but my list is quite extensive this year. You may say this is due to my extensive social activities, but everyone says to enjoy myself while I can. And, on the whole, I think I have been less naughty and more nice.

Ah, but to the meat of it! What the hell, I'll shoot for the moon. I would love a little pampering. It doesn't have to be a day at the spa or a night with a Geisha, but maybe a massage or a pedicure or just something to get these tension knots out of my shoulders (neck, spine, groin, etc.). Ooh—maybe a hot oil massage. You would not believe how cold it gets in Edmonton. Oh, wait, I forgot who I was talking to. Edmonton, you'll recall it is a bastion of clear thinking in a sea of election day blue. I mention this only because I am concerned that your elves may be eligible for some sort of AISH compensation. Oh, and keep in mind you'll need to put out your pipe regardless of what that Noce kid told you.

OK, what have we got so far? Right, a massage! Let's round that out with some textbooks, a "hire me" interview outfit, killer CANS, a solution to love-handles, more coffee, lots more coffee, the ability to freeze time, and of course to have all the children of the world join hands and sing in perfect harmony. And, can I have some of those yellow legal pads? I don't know why, but I always see lawyers using them. Is it because they just go with those green lamps? (Note to self: Send note to those queer eye guys.)

Most of all, please bring something nice for my very patient boyfriend/girlfriend/husband/wife/parents/kids who have not only dealt with me at my worst (think of a sleep deprived badger with hemorrhoids) but have gone the extra mile to support me because exams are late this year and they sure as hell won't be getting squat from me.

p.s. I seem to be experiencing financial distress, so the cookies are from the food bank, but you should be able to pick up some cheap beef while you're here.

Thanks jolly man,
Your Favourite Law Student

Movie REVIEW

Wayne N. Renke

In the movie *The Clearing*, the Robert Redford character provides a text-book example of what not to do if one is abducted.

Redford was abducted on a driveway, as he was leaving his home on the way to work. He can't be faulted for not having anticipated an attack. His case is a reminder, however, that bad things tend to happen when we least expect them. When we're heading for the street, even doing our day-to-day activities, we should be in "code yellow" – and not oblivious to our surroundings; we should be aware.

He can be faulted for leaving his car door unlocked – his abductor gained access to his vehicle through the unlocked door. The first thing you should do when you get into a car is to lock the door.

Redford's abductor had a gun. What you should do when confronted by a weapon in a confined space is up to you, in your circumstances. A critical point, however, is that things never get better. Indeed, that's the message of the entire movie plot. The longer one remains in the control of an abductor, the tighter his control over you, and the more difficult escape becomes. If you are going to do something, you should do it early, before it's too late.

It may be that you will be granted no opportunity to respond. Whether to respond and how you respond is your own choice, which

The Clearing or What Not to Do

must be respected. My suggestion, though, is that you do not rule out the possibility of a response. A response is no guarantee of success, but neither is doing nothing.

When Redford was taken into the woods, his hands were bound behind his back. Of



Photo by Larry Schatzman - © 2004 Fox Searchlight Pictures.

course, this is not a tactically effective position, particularly if your assailant is behind you with a weapon. However, Redford's abductor cut his bonds a number of times. At any of these times, the Redford character could have attacked. If you are going to attack, don't telegraph. And don't think you need to get into some sort of fancy fighting stance. To paraphrase Mushashi, your natural stance is your fighting stance. Redford and his abductor talked. Before you attack, ask a

question. The natural reaction is for your assailant to process the question, buying you a microsecond. If you attack, try to inflict the maximum damage. But don't think that you have to hit any specific target with any favourite technique. To quote Tony Blauer, use the closest weapon to the closest target. At one point in the movie, Redford fights with his abductor, and in fact gains the advantage over him. Two problems followed. First, he did not finish the job. Your primary aim if abducted is to get away, not to inflict damage. But to get away, you may have to immobilize your assailant. If you do not, you will be run down. Therefore ensure that you stop your assailant, even if only temporarily. Second, he did not flee. In an abduction situation, you don't "win" if you score with a blow, or secure a pin. You win if you survive. To survive you need to get away. You must run. Redford didn't. He was therefore recaptured. He could have been killed then and there.

Even after this incident, Redford had an opportunity to push his abductor down a steep embankment. This may or may not have seriously damaged the assailant, but would at least have given Redford the opportunity to attempt an escape.

An abductor may give assurances that he will not hurt you, if you do as he says. Why should you believe a person who has assaulted, threatened, and confined you? What basis do you have for believing that he will keep his word?

Redford didn't try to get away. So he didn't. Don't do what Redford did, if you want to survive.

QUESTIONS

Adina Preda (3L)

Whether you've been here 3 months or almost 3 years, there is one thing you probably haven't already done: gotten to know each and every of your fellow classmates. Don't feel bad. It's a big law school. You're busy. Your memorandum won't wait. You probably know a lot of faces. Maybe half the time, you can put a name to the face. You've had a chance to chat with some of those people at a FABS, or at the couches, or in class. In a few cases, you might even say that you've made some new friends. But there are a lot of people out there whom you likely haven't met, and they're an interesting bunch. So, in order to serve you better, we have asked your fellow students the questions you

just haven't had a chance to ask yet. This week we talked to Charma Stang (2L).

What is your idea of perfect happiness? Perfect happiness is finally knowing who you are, what you really want, and then being able to pursue, without hesitation or interruption, anything that stems from that.

With which historical figure do you most identify? Leonardo da Vinci. I identify with his desire for knowledge and understanding of the world. I'm really curious. He had broad interests and it seems that he left a lot of works undone because he constantly moved on to other projects. I definitely identify with that part of him. There are so many things that I want to do and learn about that I find it difficult to focus on just one or two.

Which person (dead or alive) do you most admire? I've got to go with Leonardo da Vinci again. He was probably the most amazing mind

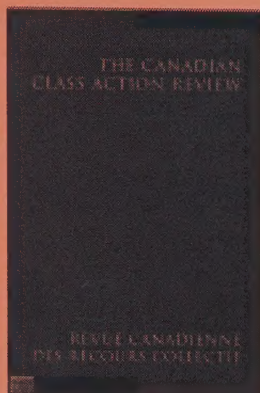
to have ever lived – THE true Renaissance man. His ultimate achievement was achieving excellence in everything that he pursued.

Who is your favourite fictional character? Aragorn from *Lord of the Rings*. He was loyal, strong, humble, intense, passionate, intelligent, courageous and lots of other good things. I loved the development of his character in the books and I thought that Vigo Mortensen, Renaissance man and looker, I might add, was the perfect actor to play him in the movies. He nailed down the perfect balance between Aragorn's darkness, ferocity, gentleness, and valour.

Who or what would you want to be reincarnated as? I would definitely want to come back as an eagle or some other big bird that doesn't have any predators. I have a lot of flying dreams and have always wished that I

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INTERESTED IN CLASS ACTIONS?



Enter your Canadian class action paper in the second annual **Harvey T. Strosberg Q.C. Essay Prize** and you could win \$10,000. The top ten essays will be published in Irwin Law's *Canadian Class Action Review*. The prize is sponsored by the journal and its editor, Harvey Strosberg, Q.C.

Last year's winner was **David Gourlay** from University of Toronto, Faculty of Law.

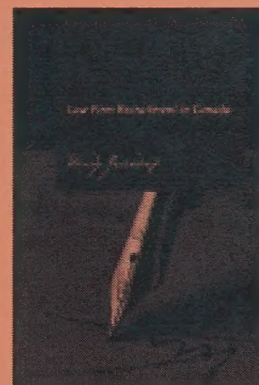
Our panel of distinguished judges marks on original ideas, factual accuracy, and legal accuracy. Essays must be 8,000 to 15,000 words. The deadline for submissions is March 1, 2005. For more information, contact Managing Editor Tali Golombek at tgolombek@irwin-law.com.

NEW FROM IRWIN LAW

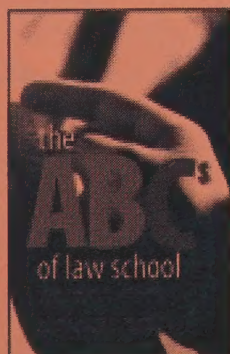
***Law Firm Recruitment in Canada: Job Search Advice for Law Students and Associates* by Wendy Griesdorf**

Published in September 2004, this book is full of valuable insight and advice on how to secure summer, articling, and associate positions. Griesdorf draws on her considerable experience as the Director of Career Services at Osgoode Hall Law School, offering detailed information on the different recruitment cycles in Canada (including on-campus interviews), guidelines on preparing an effective resumé and cover letter, strategies for successful interviews, and practical tips on how to succeed once hired. Don't miss this great tool.

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Law Girl: Tereza Fonda

Hometown: Kelowna, BC
Undergrad Studies: Political Science, Philosophy and Economics

If money was no object what would be the first thing you would buy? Tickets for an extended vacation with my friends and family

If you were stranded on an island which CD would you want with you? Sarah McLachlin

Pub or Martini Bar? Martini Bar

What's the one book you would take with you on a flight around the world? Anything by Marian Keyes

The one TV show you wouldn't even miss during final exams? *The Sopranos*

The one movie you would pay twice to see at the expensive theatre? *Ocean's 11*

The place you'll most likely travel to when finished school? Europe

If you could chill anywhere, would you pick the beach or the mountains? I'm from Kelowna; can't I have both?

Favorite thing to do when NOT studying? Spending time with friends



Law Guy: Dan Medd

Hometown: T-dot
Sign: Sagittarius
Undergrad Studies: BComm at Queen's

The place you'll most likely travel to when finished school?

My first bar exam is a week later. I ain't goin' nowhere.

If you were stranded on an island which CD would you want with you?
 The *From Justin to Kelly* soundtrack, so as to hasten the urge to kill myself before the onset of an agonizing death from starvation.

If you could chill anywhere, would you pick the beach or the mountains?
 There's more nekkid people on the beach, knowwhatimsayin?

What's the one book you would take with you on a flight around the world?
 The *Official Manual on how to Join the Mile-High Club Without Getting Caught*

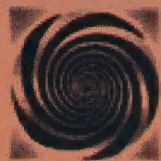
Favorite thing to do when NOT studying?
 Yeah, cuz I'm studying ALL the time...

The one TV show you wouldn't even miss during final exams?
 Well, they happen at the same time as the playoffs, eh?

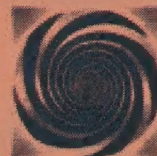
If money was no object what would be the first thing you would buy?
 A law degree

The one movie you would pay twice to see at the expensive theatre?
Leonard Part 6

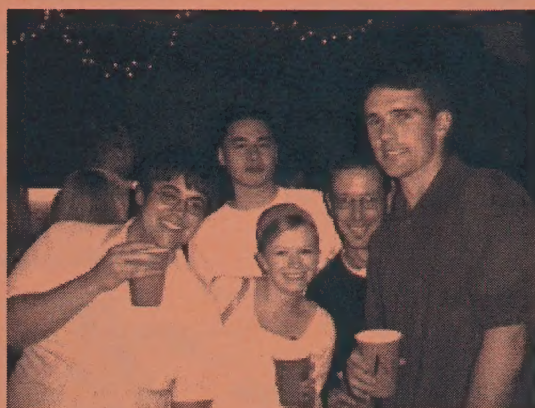
Pub or Martini Bar?
 Pub. Just because some girly drink is in a cocktail glass doesn't mean you can call it a martini. Martinis are made of gin or vodka and vermouth, will strip the paint off your car, and get most girls so drunk they'd even think a guy like McGee is attractive. Snoogans.



Hypnotist Fabs



Mark Hawkins and Dave Gedge are making sure we are safe (they're kicking out Mike Anderson) they must be hypnotised at this point!



James Elford, Brian Man, April Schulze, Bill Donahue and Robert Connolly



Phil Peters and Marnie Yohemas are all smiles



Matt... stop it, we know you're pretending!



Chris Luchak, Catherine Young and Lindsay Briggs



Kacper Jaskowiak and Tara Thompson are selling some hypnotising beer.



Amy van Deurzen, Jillian Gormley, Lindy Shearer and Lauren Barr



LWR Lecturers Cameron Hutchison and Robyn Kaulback; Laura Gill



Lindsay Briggs under the influence of the hypnotist.



Tyler Derksen and Sarah Terry

General

MALFEASANCE



Matt Vernon (2L)

The Faculty of Law here at the University of Alberta has a long and noteworthy history, with thousands of alumni practicing here and abroad. Some of Canada's finest lawyers, politicians, and judiciary attended here as students, and have since gone on to distinguish not only themselves, but also the faculty itself. We have but only to throw a cursory glance around our school to see the legacy they've left behind. They were scholars. They were builders. They were also, for whatever reason, really bad at drawing things.

If you were to take a stroll around the circuit of offices on the fourth floor, you would come face-to-face with, over the course of your walk, everyone who has ever graduated from the Faculty of Law. Each graduating class since the school's inception has a space on the wall, displaying photos of that year's graduates. Unless you happen to notice that 1973 unilaterally did away with, apparently, any adherence to alphabetical order, there's not much else to say until 1974.

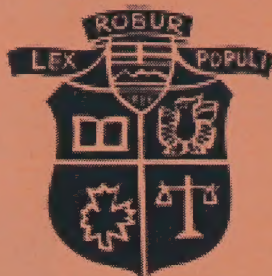
For whatever reason, and here I suspect a pendulum-like swing back from 1973's heady alphabetical disorganization, the class of 1974 decided to add a touch of class and tradition to their convocation pictures by designing and drafting a bold, symbolic crest for the Faculty of Law. Finals were coming up, though, and no one had a lot of spare time on their hands, so they eventually gave up on that and just drew this:

Lex Robur Populi. Law steals from the people: a refreshingly honest motto. As far as can be gleaned from the annals of history, this ancient heraldic crest was drawn using White Out, which has since come to be known, affectionately, as

Tradition: A Lost Art

the "Photoshop of the 70's". The symbolism, too, is powerful: a book with no pages, an asymmetrically stunted maple leaf, scales, and what is *without a doubt* a bird of some kind. As a one-time deal, the crest would have at the very least been an interesting glimpse into one particular year's worth of our alumni.

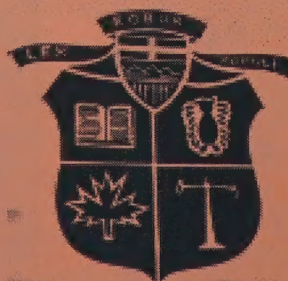
As a relentless series, however, the crests are like a window into the madness of a generation. They actually continue all the way until the present day, undergoing a series of subtle changes, much like those adopted in 1975. The left side of the maple leaf continues to wither here, representing the deadly lopsided



frost that struck Edmonton that year. The bird, for whatever reason, has become somewhat more Phoenician and moth-like. It also has nothing that could possibly be legs, as though the class of 1975 is telling us, "once your legal career takes off, you fly forever: you won't need legs".

1976 marks the year the book, representing the pursuit of knowledge and all things academic, actually got some pages: I did some research, and apparently 1976 was actually the first year students in the faculty actually had to read anything. Prior to this year,

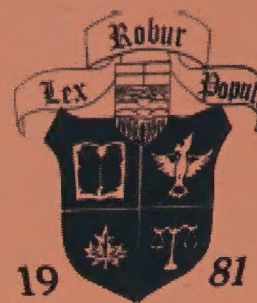
law was actually just *made up* as the teachers went along. The scales are beginning to undergo a metamorphosis here, as well, perhaps reflecting the lack of balance brought about by all the new reading. The legless bird of '75 has been replaced with the mighty "flying aardvark", a proud and noble animal.



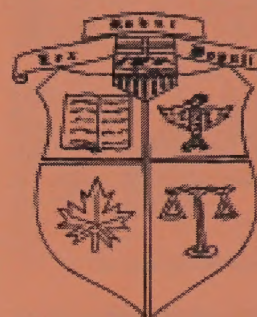
tired of being the crest's most dilapidated image.

The aardvark isn't so much flying anymore as *sweating profusely*, and the scales seem to have withdrawn entirely into themselves, perhaps in a desperate bid to find their own *inner balance*.

1981 marks a drastic change, with the adoption of an entirely new artistic style and medium: this crest was drawn with a burgundy coloured felt marker. The bird has changed back into a bird and someone seems to have blacked out the contents of the book of knowledge, indicating what could possibly have been a surge in school vandalism.



1984 was a lean year for the law school: even ink was in short supply. The hardships suffered by the alumni this year are readily visible in the imagery: the book has been reduced to two scant, lonely pieces of paper, and the rather pricey hawks, eagles, and aardvarks from years past were



foregone and replaced with the more economical but still sort-of-proud "anorexic chicken". The style developed this year has since been named and studied as the "junior high school yearbook" approach to commemorative legal crests.

Crest development progressed smoothly until 1986, but suffered a drastic setback when the class of 1978 apparently returned and *seized control of the school*, withdrawing only upon



being allowed to reinstate a crest more in line with their own particular idiom. They must have left in a hurry, though, as they seem to have forgotten some important parts of the scales of justice. They're the "big metal T" of justice in this crest, still able to swivel from one side to the other, but unable to actually compare the relative weights of anything. Similar scales were actually used to decide *Sauvé v. Canada*.

...Continued on page 11

Tradition...

...Continued from page 12



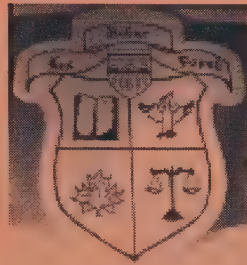
Crest from 1983

The class of 1987 was apparently still sorting through the wreckage of the previous year's alumni invasion, as they didn't find themselves with enough time to make their own crest. The obvious choice was to "borrow" one from a previous year, in this case, 1983. Something to notice from this point on, however, is the developing battle between the various factions of crest designers within the faculty: after 1986's forced return to a more traditional interpretation, the real question from this point on becomes which style to adopt: the more modern "felt-based" motif, or the classic

Crest from 1987



totally insane". The book of knowledge is stained and crumpled, the bird seems to have nearly tripled its bulk, and unless I'm mistaken, looks *exactly* like Batman's head on a huge turkey. Alberta's shield seems to be missing a layer, too. One can only surmise that this year's graduating class was smoking a little too much of their homegrown "maple" leaves. For whatever reason, this year's regression is the last use of the classic style of crest: after this point, the modern approach maintains an unbroken dominance.



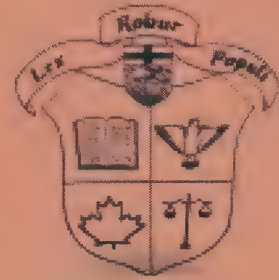
1991 - There isn't much to say here that hasn't been said before, save for the slight, but arguably important, omission from Alberta's

"white on black" approach.

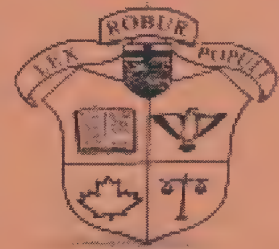
The class of 1989, faced with the choice between the modern and the classic, opts instead for a third available option, "classic, but

shield.

The crest of the 1993 class inevitably goes back to the felt marker, and is relatively unremarkable. The bird is looking off to the left now, perhaps to the future, and everything else seems to be in place. Yes, a fairly ordinary crest. Ordinary *enough*, in fact, to become the unavoidable standard: we've been using this crest, albeit slightly photocopied, ever since 1993.



The history behind all these crests is actually quite interesting, and readily available if you ever get the time to head up to the fourth floor and engage in a little investigation. I didn't, though, so I really don't have much else to say here. If



you're interested in learning more about birds, books, and plants, consult your local library!

HOROSCOPE



Aries: You'll find yourself falling even further behind this month. Keep it at: there's always the chance that if you work slowly *enough*, you could actually move backwards through time. Sure, it's not a theory *based* on anything, but what other hope do you have?



Taurus: Life is a lot like the Law Centre men's room. Just when you think it couldn't stink any worse, it ups the ante and surprises you.



Gemini: December is going to be a very dark cloud for you, but it has a decidedly silver lining. Well, at least a pewter lining. Maybe zinc.



Cancer: If brevity is the soul of wit, then there are more than a few pretty witless judges out there. Another adage: all work and no play makes Jack dropkick his Family casebooks.



Leo: With the snow on the horizon, it's time to start thinking about bundling up and taking better care of yourself not only do you not want a cold, but spreading

the flu around the Law school around exams is enough to warrant a lynching. Wear a courtesy sweater.



Virgo: Take all your readings and stack them up in a single column of words and paper. Consider the sheer *bulk* of knowledge you're dealing with, and the timeframe involved. It won't make you feel better, but the time you used to do that put the rest of us that much further ahead of you. Thanks!



Libra: When you think about the bigger picture, we really are still just starting out. We're still young at heart, full of life, and looking to take on the world. The *third years*, though, now *they've* got a foot in the grave.



Scorpio: You have a lot of demands on your time, both at home and at school, but it's only because you're just that interesting. Your sunny disposition makes you more than welcome at everything from parties to nights out with friends. Let's just hope the profs give part marks for anecdotes from the last FABS...



Sagittarius: Just think: at this time next

month, you'll be done and on vacation! Presents and time spent with family will take your mind off your studies and help you get ready for another round come January. Unless you're in first year, that is: good luck with all the studying for finals next April!



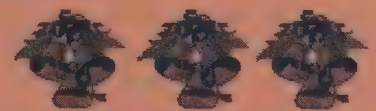
Capricorn: The stars are bemused by your approach to time management. Their advice: try to find a better ratio of studying to picking your clothes in the morning than 1 to 1.



Aquarius: When they say that everyone, absolutely everyone, is special in their own way, they might not have meant it. Just in case, work extra hard at being special this month; you'd hate to have a saying not apply to you.



Pisces: Those signs in the library pointing out that you can't drink Tequila are a joke, right? Right? I mean, there aren't any penalties for doing it, are there? At least not serious ones?



Jane Freeman (2L)

There's something out there. Something big... something exciting... something good. I can tell by the TV commercials; they're all talking about "the season", and "this time of year" and "magic and wonder". I know this something is something I like. But I also know that there's something ELSE out there that has to happen before the GOOD something can happen. And you know it too. You can't get excited about the good something yet, oh no, you can't even start to think about it yet, because with every passing moment that it draws nearer, so does the something ELSE. Like a dark, dreary, thick cloud of death, that something ELSE is looming, and it seems like the bright, sunny, joy on the other side will never pierce through it.

If you're like me, you try to enjoy the Christmas season in spite of exams. If you're like many other law students, you may not notice that it's Christmas until you go from your last exam to a mall. That's OK; I understand. I'm 26 and I think last year may have been the first year ever that I didn't wake up at 4 am, unable to sleep anymore because I knew that Santa had been by. But that also may have been the exhaustion from exams. (Incidentally, going straight from an exam to a mall in late December is not **recommended**.)

I remember last year at this time, when the most magical and wondrous words of the season were "fail safe". How cruel and different this year will be. I haven't actually figured out how many hours are left until my first final, but

The True Meaning of Christmas for Law Students

(Or, Christmas and Exams: A Recipe For Ranting)



I do know that somehow all my classes have covered more material in one semester than every class did in a whole year last year. Oh yeah, and those magical words are mysteriously absent. Yes, nothing is "safe" in 2L. And don't you love how all your friends in other faculties are complaining about how busy and stressed THEY are? With their 3 finals worth 35% each? Spaced within 2 weeks? How DO they get by?

Ahem. So the countdown is on: not with shopping days left, but with *studying* days left. Hey, when is Christmas shopping supposed to happen? If you write exams until the 22nd (the last day), you'll have the 23rd booked off for hangover nursing, and then what? Christmas Eve? Even the NICEST bath bead basket will be gone from Shoppers Drug Mart by then. And those people that sell the blankets with the giant, oh-so-realistic-looking wolf heads on them will be long gone! And what is with that really annoying Old Navy commercial with the fricking

sweater-wearing carolers? Um, "where did the year go" and "soon it's time to cook the bird" don't rhyme! Who writes this crap? AND ANOTHER THING: is anyone else annoyed by the stupid new boxes of Turtles? I mean, is NOTHING sacred anymore? And have you noticed that "XMAS" is almost an anagram of "EXAMS" if you add an E?

At any rate, here are some tips to incorporate a little Holiday enjoyment into your studying:

- 1) Do your CANS in festive red and green ink and paper, then after exams, you can turn them into beautiful tree ornaments...or wrapping paper!
- 2) Switch from coffee to eggnog lattes.
- 3) Use Christmas Carols as mnemonic devices.
- 4) Try to fit in some Christmas shopping at Scholar's. Mac's has some very nice things too.
- 5)...And also at the library. You may have noticed the free bookmarks... great stocking stuffers!
- 6) When someone's cell phone goes off in the library and they begin a conversation at full voice, imagine Santa (instead of yourself) savagely beating them, cheerfully ho-ho-ho-ing the whole time. (Ok, you can imagine yourself dressed as Santa)
- 7) Two words: Candy Canes.
- 8) Study really hard, so that when exams are finally over, you can forget about it and enjoy the Holidays, knowing you did your best. Merry Christmas!

Questions

...Continued from page 6

could fly.

What is your most treasured possession? A necklace from my grandmother. My grandmother had 17 kids and a whole lot of grandchildren yet she still managed to make everyone feel special. She had so much love for every member of the family I can't imagine where she got the energy from. Then I remember that she was also very stubborn, or determined as she would say, and that explains it all. The necklace is what reminds me most of her and therefore I cherish it above everything.

What is your greatest indulgence? My worst indulgence is television – damn satellite TV! It's amazing how much good stuff will be on when you have lots of schoolwork to do.

What is your favourite travel destination?

I really want to go and stay in a villa in Tuscany. There would be lots of food, a whole lot of wine, and a lot of time to soak in everything around. I would love to slow things down for a couple of months and live a completely different lifestyle.

How would you spend the perfect day?

The perfect day for me would be a day at the lake with friends. We would do some swimming, play some beach volleyball, BBQ some big-ass steaks, play card games, and have some drinks and swap lies around the campfire.

What is your favourite scene in a movie?

I love the scene in *Gladiator* when Maximus takes off his mask, reveals to Commodus his identity and then proceeds to give his revenge speech. The build up for that scene was awesome

– I couldn't wait for everyone to find out who he was and I loved the reaction of that sniveling Commodus.

Who would play you in the movie version of your life? Scarlett Johansson. I think that she's a great actor and I would trust her not to screw it up.

What represents "absolute hell" to you? It would be lying on my death bed and having regrets about things that I did or did not do during my life.

What is your motto? My motto is a question: What would you do if you weren't afraid? Whenever I feel hesitant or unsure of myself I ask myself that question. If it's some kind of fear that is holding me back I shake it off and push myself ahead. A life controlled by fear is a life full of regret.

Proust INTERVIEW

with Professor Lewis Klar

Justyna Herman (2L)

This set of questions was famously answered by Marcel Proust, a French writer, in the late 1800s. They have been used since to conduct interviews and help people learn about their true selves and the inner personalities of those around them. We will be asking the Proust Questions to professors in our faculty. This week, we ask the Proust Questions to **Professor Lewis Klar**. Professor Klar teaches **Tort Law, Advanced Tort Law and Insurance Law**.

What do you consider your greatest achievement? Turning my worst course in law school (in terms of grades), Torts, into an academic career. There is a message in this somewhere, but I am not exactly sure what it is.

What is your idea of perfect happiness? Establishing what seems to be an almost impossible goal, and achieving it. The more difficult the goal is, the greater the level of happiness. Am I overly competitive, or what?

What is your most treasured possession? No possession should be treasured. Remember what Janis Joplin said: "Freedom is just another word for nothing left to lose".

What is the trait you most deplore in others?

Boy, that's a tough one. Being a bit of a misanthrope, I find that most people have lots of pretty unpleasant traits. But don't get me wrong. In addition to being misanthropic, I also don't think that highly of myself. After all, I am one of them.

What do you consider the most overrated virtue? Politeness. Just tell me what you think, damn it!

What is your greatest extravagance? My car. Do you know what a clutch and flywheel cost for a 13 year old Porsche? Don't even ask.

What is your favorite journey? Our drive out to Edmonton, Alberta in the summer of 1973 from Central Canada to start a new life in Edmonton. Irene and I were jammed into our new Plymouth Duster along with all of our worldly possessions, including Papua, or long haired Peruvian guinea pig, and Abellard and Eloise, our two nun finches. We are to this day not welcomed in most Motel 6's across the country.

Get to Know Your Professors

What is the quality you most like in a man?

This was my hardest question. Why do you think that is?? Have to phone my therapist.

What is the quality you most like in a woman?

Being self-confident and determined, without being too aggressive and humourless. Sort of a mix of Madonna and Meg Ryan. I don't know. At my age and with my hair style, I simply cannot afford to be too judgmental on this one.

If you were to come back as a person or thing, what do you think it would be? I would probably come back as myself. Sort of like in the film *Ground Hog Day*, but stretched out for a lifetime. "Ground Hog Life". Boy would that



Photo by Justyna Herman

ever be frustrating

What is your favorite way of spending time?

Thinking about what I should do to most productively spend my time. Planning my next big move. Looking out for my future prospects. Boy, am I ever in a rut.

Which living person do you most admire? The person whose name I do not know, and who will never be known by most, but who, day in and day out, is being kind and generous, hardworking and loving, but who will never be celebrated and acknowledged. And that is what I admire most about that person - that she and he simply does not care. (Sorry, for getting serious on you, thought I should throw you a change up.)

Which historical figure do you most identify with? Larry David

Who are your favorite fictional heroes? Uncle Scrooge McDuck and the tooth fairy. As you see, I am getting tired. Too many questions! Wasn't this supposed to be a one hour exam?

Who are your favorite writers? To tell you

the truth, aside from judgments and law books, I don't read a lot. Can I answer the Canadian Supreme Court? They really are my favorites. Do you think I am overly narrow?

Who are your favorite musicians? The Edmonton Symphony Orchestra. You can catch a few z's, hang out with the sophisticates, and you're out and home in bed by 11:00. Another Saturday night taken care of.

Who are your favorite filmmakers? I really like Quentin Tarrantino. Irene likes to drag me to the Princess to watch films from China, Afghanistan, and Iran. That's okay too. For the same reasons as the previous question.

Who are your favorite actresses? They are all beginning to look really good to me. Halle Berry, Cameron Diaz, Jennifer Lopez. You know, I even thought Charlize Theron looked absolutely stunning in *Monster*. I need help.

What was the last book you read? *A Problem From Hell* by Samantha Powers. I actually didn't finish it, which is the problem I have with most books. Even George Bush finished the story about *My Little Goat*. It did have a lot of pictures though.

Which words or phrases do you most overuse? I use the word "I" a lot. Some people say I am a bit self-centered. It's always about me, me, me. Even my therapist accused me of always talking about myself.

What is your biggest everyday pet peeve? Slow drivers. If you pay big money for a clutch and flywheel, you want to get the blasted car out of first gear now and then.

What is your motto? "The perfect is the enemy of the good".

What talent would you most like to have? A sense of humour.

*Canons would like
to wish everyone a
happy, safe and restful
Holidays!*

*Joyeux Noël, Feliz
Navidad, Buon Natale,
Froehliche Weihnachten,
Maligayang Pasko, or
God Jul!*

LSA UPDATE



V
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A
L

Marnie Yohemas (2L)

"Oh the weather outside is frightful..." actually I think that was in August. For all you non-Edmontonians, count yourself lucky as winter has held off longer than usual this year. However, exams are fast approaching and *that* is frightening. The library seems to be filling up more everyday with Law students and SNAILS alike. Remember that the LSA does not condone violence against SNAILS as a form of venting out exam and paper frustration.

Last Friday we had a great turn out for our first ever Hypnotist FABS. Thanks to everyone for evcoming out and especially for those who

Upcoming Events

volunteered to get up in front of everyone and belt out a little Spice Girls. And don't think we didn't notice that most of you knew all the words!

ARAMARK has given their notice that they will be leaving the GAVEL. The LSA would love to get some feedback on what law students want or need in a food and beverage provider. Forward your comments or suggestions to any LSA executive.

Yearbook Pictures: If you don't want to be just a name in the yearbook then make sure that you come out for yearbook photos Nov. 29, 30 and Dec. 1, 2, 3. See the LSA board for specific details. 3Ls need to sign up to get their Cap and Gown graduation photos done. Sign up sheets are posted on the LSA board. 1Ls and 2Ls need to just go up during the times listed and get a picture taken so that we can all remember how *hot* you looked in 2004!

Children's XMAS Party: The LSA will be hosting our annual Kids XMAS Party in the GAVEL on Nov. 28 from 12:00pm until 2:00pm. Kids of all ages and their parents are welcome to come. There will be food and entertainment and a special visit from the North Pole. Sign up sheets are also posted on the LSA

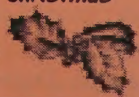
bulletin board so that we have an idea of number of people that will be attending!

LSA TURKEY Lunch: The LSA will be hosting a TURKEY luncheon in the GAVEL on December 2 from 12:00pm until 2:00pm. Admission will be \$10 without a food donation, \$5 with donation. Please bring your food donation when you purchase a ticket. Tickets will be sold on Monday (Nov 29th), Tuesday (Nov 30th) and Wednesday (Dec 1) at the couches from 12:00 until 1:00. There are only 100 tickets so come early to guarantee that you can stuff yourself with Turkey! (We hear Turkey helps optimize brain function).

Sports FABS and Mardi-Gras Party: January 14, 2005 the LSA, in combination with the faculties of Pharmacy and Medicine/Dentistry, will be hosting a mixed faculty SPORTS FABS and MARDI-GRAS PARTY. Watch for team sign-up and ticket sales when you come back in the New Year! You might want to think about brushing up on your dodge ball skills over the xmas break!

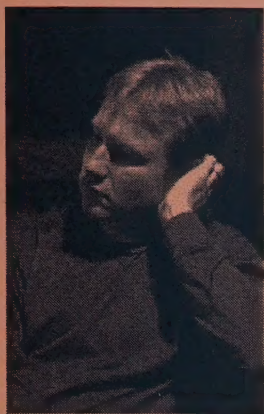
The LSA would like to wish everyone good luck on their mid-terms and final exams. We hope everyone has a restful, non-stressful, and safe holiday. See you in January!

December Exam Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8 Last Day of Classes	9	10	11 Evidence Family Judgment Enforcement
12	13 Civil Procedure, PPSL, Contracts, Leg. Process & Drafting	14 Judicial Remedies, IP, Wills, Start-Up & Growth Businesses, Sentencing	15 Administrative Property Criminal Procedure	16 Family Conflicts Evidence	17 Advanced Torts Conflicts Bankruptcy Criminal Law	18 Advanced Evidence Int'l Criminal
19	20 Trusts, Conflicts, Civil Procedure, Land Titles, Taxation, Foundations	21 Law & Democratic Process, Labour, Employment, Corporations	22 Insurance Constitutional Law	23	24	Christmas 25 
26 Boxing Day	27	28	29	30	31	

Bowman's BANTER

S P O R T S



Cam Bowman (2L)

Ok, first of all, lets get something out of the way at the beginning. This article is not about being rational, nor about making suggestions. I'll leave that to the people who get paid to do it. This article is about setting something straight.

Right now, I'm pissed. There is a significant lack of hockey being played right now, and I'm suffering. Whose fault is that? There are probably coherent thoughts out there on that, but I don't really care; I'm just angry at everyone involved.

The great debate right now is between the NHLPA and the owners of the teams in the NHL. Frankly, right now they're more concerned about trying to look good and get a positive sound byte on television than with doing their damn job and negotiating an agreement. Both sides are sitting on their asses and claiming that it's the other side's job to make a move, and that it's the other side's fault that there's no progress. It's time for both sides to swallow their bloody pride and make some sacrifices for the otherwise great game of hockey. Who cares if the public thinks you gave in, or you get a bad PR rep from whatever approach you were taking up to now. These people, those on both sides, are not any bigger then the game, even though they seem to *think* they are. They're sacrificing the greatest game in the world for their own selfish concerns. Who are they to ruin this game, a game that has sustained so many people in this country for so many years? This is the time of year that people should be getting together to watch hockey on Saturday night. Now, instead of showing hockey, CBC is showing some crappy 20 year old movie with Ron McLean hosting from a community rink in Flin Flon, Manitoba during the breaks. Yeah, sorry, but we're not interested Ron. Guess I'll just have another beer and go to bed.

We're Not Going to Take It!

I think the most frustrating part of this whole disaster is that there is no way for me to take my frustration out on the people who are responsible for it. As soon as the NHL comes back (whenever that might be) they know that I'll come crawling back as well, because I won't be able to resist it. Basically, they're holding my feelings hostage, playing with them and using them in their little games, trying to get one up on the other side.

I think it's time everyone involved starts to understand that they are not the only people losing in this game, and they had better start realizing that the game commands them to stop ruining it. **GET BACK TO WORK!**

In short, both sides are guardians of the game for the next generation. Right now they are failing miserably in that responsibility, and that is inexcusable.

Ok, now that I have that out of my system, it is time to address each side individually.

First: the players.

Ok, so let me get this straight. You are willing to endure the lockout for the good of the game, and for the benefit of the players just coming into the league, ostensibly so that they too are not subject to the tyranny of the owners. Don't forget that according to every interview I have ever seen, these guys don't play for the money, they are playing for the love of the game.

Right. Despite the fact that it is not about the money, these guys are supposedly willing to sit out the entire year because the owners are insisting on a maximum amount that each team can pay to their players. Sounds like a money issue to me, a long way from the supposed dream of every Canadian kid who grows up on a frozen pond outside Cornerbrook, Newfoundland. But apparently they play for the love of the game.

Second: The owners.

You want me to feel sorry for you when you pay Bobby Holik almost 9 million per year? He had 56 points last year, and 35 the year before that. You want the NHL to survive? You want to stop losing money every year? *Stop being so stupid.*

Basically you are hoping for a system that saves you from yourself. If these people are successful businessmen in so many other aspects, how is that they can sign guys to contracts that even the last place person in the hockey pool knows is ridiculous. They are being just as stubborn as the players, willing to waste an entire year if it means they can win in the court of public opinion.

In short, *get back to work.*

Poetry

Invocation

I clear off half the table and listen -
While the woodenness of the chair
Acquaints its back with mine.

I deposit the day's dusty thoughts
As melancholic songs gnaw at my
apple
(and my slippers!)
and now,
a candle begins to coax
shadows across the opened books.

Will I be opened too?

I wonder -

For that is the plan,

Here...tonight,

With these ingredients thus
assembled

and a smile or two pocketed
from some dashed moment.

Will it all suffice?

...the taunt, dark hours stretch
out, like parchment
awaiting scratchings from my pen.
Yet instead,

I gaze into dark corners
where icons dance themselves
into scant apparitions...Yes indeed!
Scratchings from my pen!

Am I ready? Is this enough?

And is this frenzied floor finally willing
to listen?

* * *

Ah...

pause upon pause
but surely it will be fine
with the echoes and all
and the whisper words which
make cave art in my mouth.

No, I haven't forgotten much, if
anything,
Here tonight.

For I do have you

Gilded in my mind

And some may-be-destiny
to scrape my soul for spite.

Oh the questions may not be
answered,

I do know that much.

But I will think of art and search

For where you buried that part of me,
As I become the poet.

by Clint Martin



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